Fields in Trust Standards Creating great spaces for all

Planning Policy Context for

England



Introduction

This Planning Policy Context note for England accompanies the Fields in Trust Standards (the 'FIT Standards'). It sets out the planning policy context for England and explains how to use the FIT Standards when preparing planning applications for new developments or as part of the neighbourhood planning process.

Introduction to the Planning System

The UK Government is responsible for creating the laws and regulations that set the rules for the planning system in England, but local government administers much of the planning system, including preparing the development plan for an area and determining most planning applications. The key documents of the development plan for an area are the Local Plan (which the local planning authority is required through national policy to prepare) and, where communities have decided to adopt one, the Neighbourhood Plan.

The planning system in England is 'planled'. This means that proposals for new development must be determined in accordance with the development plan for an area unless 'material considerations' indicate otherwise.

Relevance of the Fields in Trust Standards in Planning

National planning policy in England recognises the importance of providing accessible, high quality open spaces to achieve sustainable development. The FIT Standards are recognised across the UK as a common approach for delivering accessible, high quality open space, sport and play provision in line with national planning policy. Using the FIT Standards from the beginning of the planning process embeds a focus on achieving better design outcomes from the start, and by incorporating benchmarks on quantity and accessibility as well as using the framework of 6 themes can help drive a broader agenda of quality and functionality.

Fields in Trust also work with developers, planners, neighbourhood planning groups and town and parish councils to assess and analyse current provision levels using their <u>Green Space Index</u> and identify where this does not currently meet the FIT Standards.

Planning Applications and Appeals

The FIT Standards can be used to help developers and consultants in securing planning consent for new developments through demonstrating compliance with local policy requirements for open space, sport and play provision. Following the FIT Standards is a policy requirement in many local authority areas in England when integrating open space into new developments. In many local authority areas, guidelines and standards on open space in local policy are a derivation of the FIT Standards and in local planning authority areas where no guidelines are in place, the FIT Standards are a useful tool to demonstrate appropriate levels of open space are being provided.

The FIT Standards can also be used as part of negotiations with local planning authorities to determine the level and standard of provision required cognisant of the local context and other facilities.

The FIT Standards can also provide a robust basis for decision-makers in planning appeals to assess the provision of open space where it is a material consideration in an appeal.

Local Plans

The FIT Standards have been developed to be directly referenced in Local Plans setting out the types of open space, outdoor sports and play spaces (quantity, accessibility and quality) that should be provided for different scales of new development.

Neighbourhood Planning

The FIT Standards can be used by local communities to help identify the appropriate level of open space, sports and play provision for an area to be set out in the Neighbourhood Plan.

The FIT Standards can also be used to help identify suitable open spaces to protect and enhance. This protection can be achieved through designation as a 'Local Green Space' in the Neighbourhood Plan which provides special protection against development for green areas of particular importance to local communities. Enhanced protection of green spaces for public recreational use can also be achieved through Fields in Trust and a Deed of Dedication in partnership with the landowner. The FIT Standards can assist in defining the role of such spaces in meeting open space needs within the local community.

Design Codes

At the national level, the <u>National Model</u> <u>Design Code</u> references the FIT Standards as a key source for accessibility standards for outdoor space.

Local planning authorities in England are required to produce authority wide Design Codes for their area, where the FIT Standards can be directly referenced.

Policy Context

National Policy

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the national planning policies for England, covering the economic, social and environmental aspects of development. The policies in the NPPF must be taken into account in preparing the local development plan for an area and it is a 'material consideration' in deciding planning applications.

The NPPF makes it clear that the purpose of planning is to help achieve sustainable development and sets safeguards to conserve and enhance the natural and historic environment in England. With this in mind, it sets a 'presumption in favour of sustainable development'.

The NPPF recognises the importance of accessible high quality open spaces for supporting strong, vibrant and healthy communities, that reflect current and future needs and support communities' health and well-being as well as delivering wider benefits for nature and helping to address climate change.

Chapter 8 ('Promoting healthy and safe communities') specifies protection for existing open space and land for sports, including playing fields and formal play spaces.

Chapter 8 of the NPPF also states that local planning authorities should undertake assessments to determine local open space, sport and recreation requirements and seek to accommodate opportunities for new provision through the development plan for the area.

Chapter 12 (Achieving well-designed places) reinforces the need to deliver 'high-quality, beautiful and sustainable places' as well as the need to demonstrate early, proactive and effective engagement with the community.

Chapter 13 (Protecting Green Belt land) states that the 'Golden Rules' should apply where Green Belt land is released for development. The 'Golden Rules' include the provision of new, or improvements to existing, green spaces that are accessible to the public. Improvements to green space required as part of the Golden Rules should contribute positively to the landscape setting of the development, support nature recovery and meet local standards for green space provision. This chimes with the framework of Fields in Trust's Standards and themes.

Planning Practice Guidance

Planning Practice Guidance (PPG) provides additional national-level guidance in support of the policies set out in the NPPF. The PPG is updated regularly to reflect changes to legislation and policy.

The 'Open space, sports and recreation facilities, public rights of way and local green space' PPG was published in 2014 and provides guidance on how open space should be taken into account in planning applications, in line with the policies set out in the NPPF. The FIT Standards should be read in conjunction with this and other relevant PPG, including:

- Biodiversity net gain (2024)
- Climate change (2019)
- Community Infrastructure Levy (2024)
- Healthy and safe communities (2022)
- Natural environment (2024)
- Neighbourhood planning (2020)
- Planning obligations (2019)



Buckler's Park, Crowthorne. © Macgregor Smith

Planning Practice Design Guidance and Standards

National Design Guide and National Model Design Code

The National Design Guide and National Model Design Code are planning practice guidance developed by the UK Government which inform good placemaking and design in England. The National Design Guide sets out ten characteristics for well-designed places, including the provision of 'safe, social and inclusive public spaces'. The FIT Standards are directly referenced in the National Model Design Code as a source of accessibility standards for open space, sports and play provision.

Green Infrastructure Standards

Natural England's Green Infrastructure
Standards were published in 2023 and define what good green infrastructure
'looks like' for local planners, developers, parks and greenspace managers and communities, and how to plan it strategically to deliver multiple benefits for people and nature. They represent the recommended standard of green infrastructure provision for major new housing developments in England and are intended to be used by local planning authorities to set their own local standards for green infrastructure provision.

The FIT Standards are again directly referenced in the Green Infrastructure Standards as a source of capacity testing for green space.

Regional and Local Policy

Local Plans

Local Plans are the key documents in the development plan for an area and set out local planning policy. Developed by the local planning authority, they set out the vision and framework for future development of the area, addressing local needs and opportunities as well as setting safeguards for the local environment.

As noted above, the FIT Standards are referenced in policies within many Local Plans in England for developers and consultants to follow when integrating open space within new developments (and in other local authority areas local guidelines and standards are a derivation of the FIT Standards).

Neighbourhood Plans

Introduced by the Localism Act 2011, neighbourhood planning gives communities power to develop a shared vision for their neighbourhood and shape local development and growth. Neighbourhood Plans form part of the development plan for their area and therefore have weight when the local planning authority is deciding on planning applications. Neighbourhood Plans plan for a range of land uses, including outdoor sports and recreation uses and designations.



Quarry View © Paul Upward Photography



Claridge Way, Thamesmead, London.
© Jan Kattein Architects

Open Space, Sports and Play Provision in New Developments

In England, open space, outdoor sports and play provision is secured through national and local policy requirements, with the FIT Standards providing minimum guidelines for provision.

Local planning authorities use planning conditions and/or planning obligations to ensure that any agreed open space provision is delivered.

Planning Obligations

Under Section 106 of the Town and County Planning Act 1990, developers in England may be required to provide planning obligations. Section 106 agreements are legally binding agreements entered into to secure planning obligations. Planning obligations are an important mechanism used by local planning authorities to ensure that certain work and/or financial contributions required to reduce or mitigate the impact of the proposed development are carried out, for example securing the required open space provision. The FIT Standards provide a basis for design discussions with the local planning authority regarding the open space provision to be secured.

Developer Contributions

In addition to delivering new open space through their development proposals on site, developers may be required to provide financial contributions to help fund further local provision or to make improvements to existing provision.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) allows local planning authorities in England to raise funds from developers to fund a wide range of infrastructure that is needed as a result of development. These funds can be used to fund local sport and recreation facilities. Most new development which creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy.

Local planning authorities are responsible for managing and allocating CIL contributions for public open space improvements or the provision of new facilities. A portion of CIL funds will be payable to local communities close to the development location with Neighbourhood Plans in place for the purpose of localised spending on priority projects.

Fields in Trust's <u>Green Space Index</u> can help identify where developer contributions could be directed for community infrastructure by identifying where there is a lack of open space provision in an area.

Supporting biodiversity

National policy also sets out requirements that are designed to improve biodiversity including:

Biodiversity Net Gain

Since February 2024 another key consideration for new developments is the mandatory delivery of biodiversity net gain, that is 'a measurable improvement to the natural environment through habitat creation and improvement'. In England, a minimum of 10% biodiversity net gain is required for new developments under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021), but local planning authorities can require a higher level of gain through their Local Plan.

There may be opportunities to create space for nature that also provides other recreational benefits - where properly designed and considered, recreational benefits can be a key wider benefit of biodiversity net gain. The 6 themes in the FIT Standards are designed to help drive a broader agenda of multifunctional green spaces.

Suitable Alternative Natural Greenspace

Where a new residential development is in proximity (within 5km) to sites that are protected for their habitat value (Special Protection Areas (SPA) or Special Areas of Conservation (SAC)) developers are also required to provide Suitable Alternative Natural Greenspace (SANG) to reduce recreational impacts on the protected sites (or a monetary contribution towards the purchase and maintenance of SANG where it is not feasible to provide on site).

The purpose of SANG is to provide an alternative greenspace for recreational use to attract residents of new developments away from the protected and vulnerable sites. SANG must be designed in line with local planning authority guidelines and can be created from a range of landscapes including existing open space, agricultural fields, woodland and restored landfill.

SANG must be perceived as seminatural space with recreational walking and cycling routes provided but little artificial infrastructure. For this reason, the inclusion of formal sports pitches for example in SANG is not appropriate. However, the integration of play provision into SANG areas is desirable where the design is appropriate for the natural setting.

The FIT Standards are cognisant of the need to understand and adapt to individual context to ensure provision meets local need.



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